

TO DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/551,650 Confirmation No. :  
First Named Inventor : Roland EBERL  
Filed : September 29, 2005  
TC/A.U. :  
Examiner :  
  
Docket No. : 101795.56304US  
Customer No. : 23911  
  
Title : Information System

**STATUS INQUIRY AND REQUEST TO WITHDRAW NOTICE OF  
ABANDONMENT AND/OR TO ACT ON PREVIOUSLY FILED PETITION  
FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION**

**Mail Stop Office of Petitions**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**February 21, 2007**

Sir:

On September 29, 2005, Applicant filed a Petition for Revival of Unintentionally Abandoned Application, together with appropriate application papers to enter the national phase proceedings in the United States, including a copy of International Application WO 02/31580, ten (10) sheets of formal drawings, an English translation of the International Application, a Transmittal Letter to the United States Designated/Elected Office, and checks totaling \$900. A copy of the Petition, together with the PTO receipted postcard evidencing submission of the documents listed thereon on September 29, 2005, and designating this application by Serial No. 10/551,650, are attached hereto. As noted in the Petition for Revival, a PCT Application was filed on October 7, 2000 designating the United States. However, the Applicant unintentionally failed to

enter the national phase by the thirtieth month. Accordingly, the Petition for Revival confirmed that the abandonment of the application was unintentional.

Applicants have, in the meantime received a Notice of Abandonment dated June 19, 2006. However, Applicants have not received any response to the Petition for Revival which was previously submitted on September 29, 2005. Accordingly, Applicants respectfully request that the U.S. Patent and Trademark Office consider and respond to the September 29, 2005 Petition, and revive this application as previously requested.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 101795.56304US).

Respectfully submitted,



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Attachments  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To Be Assigned Confirmation No. : TBA  
First Named Inventor : Roland EBERL  
Filed : September 29, 2005  
TC/A.U. : To Be Assigned  
Examiner : To Be Assigned  
Docket No. : 101795.56304US  
Customer No. : 23911  
Title : Information System

**PETITION FOR REVIVAL OF UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions for the revival of the above-referenced patent application, claiming priority of the PCT Application, and for the granting of the priority of October 7, 2000.

A PCT application was filed on October 7, 2000, designating the United States. Applicant unintentionally failed to enter the national phase by the 30th month. It is therefore stated that the abandonment of the application was unintentional.

At the time of applicant's co-invention of the subject matter reflected in the present application, several of the co-inventors were employees of Physoptics Opto-Electronic GmbH. By virtue of German employee inventor's law, Physoptics took over their right to this application worldwide. Physoptics later went into bankruptcy and their trustee refused to release their right to this application and refused to initiate the US national phase. Applicant filed a

lawsuit in November of 2003 against the trustee regarding abuse of German employee inventor's law as well as German Patent Law with respect to this invention and others. An agreement was reached releasing all rights to this and numerous other applications.. Because all rights to this application were not held by Physoptics, it was necessary to negotiate with the other owners regarding prosecution of the application which was not completed until near the end of 2004.

After the agreement was reached the burden of reconstructing this and other files including the consultation with the others involved in this application as well as attempting to save the entire portfolio to the fullest degree possible and the necessary time to arrange financing and manage by employment led to further delays.

The following attached documents comprise a complete response. These include the PCT application and the appropriate PCT filing fees.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

The petition fee of \$750, under 37 C.F.R. § 1.17(m), is submitted herewith.

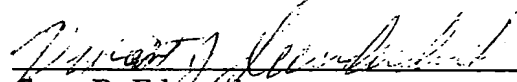
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 05-1323 (Docket #101795.56304US).

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit  
Account No. 05-1323 (Docket #101795.56304US).

Respectfully submitted,

September 29, 2005

  
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Crowell & Moring LLP

Today's Date: September 29, 2005

Attorney Docket: 101795.56304US

**10/551650**

First Named Inventor: Roland EBERL

Serial No.: To Be Assigned

Filing Date: September 29, 2005

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

X Check no. 289764 in the amount of \$150.00

X Transmittal Letter to United States Designated/Elected Office (DO/EO/US) Transmittal

X Check No. 289763 in the amount of \$750.00

X Petition for Revival of Unintentionally Abandoned Application

X Application Data Sheet

X International Application WO 02/31580 (77 pages, 22 claims, Abstract)

X 10 Sheets of Formal Drawings (Figs. 1-4, 5A-5B, 6A-6B, 7A-7B, 8-9, 10A-10B, 11A-11D, 12A-12E, 13A-13B, 14A-14B, 15-17)

X English Translation of International Application (47 pages, 16 claims)

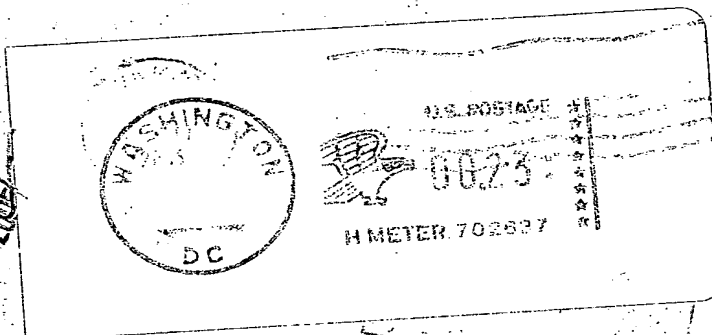
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DUE DATE: September 29, 2005

**JC06 Rec'd PCT/PTO 29 SEP 2005**

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**DOCKETED**  
OCT 20 2005



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